



PATENT  
Customer No. 22,852  
Attorney Docket No. 08505.0020-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|  |   |                        |
|--|---|------------------------|
| In re Application of:                                | ) |                        |
| Jenkins, Peter James et al.                          | ) | Group Art Unit: 1623   |
| Application No.: 10/776,188                          | ) | Examiner: E. Peselev   |
| Filed: February 12, 2004                             | ) |                        |
| For: PREPARATION AND DIABETIC<br>USE OF GIBBERELLINS | ) | Confirmation No.: 3089 |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action after the filing of a Request for Continued Examination in the above-referenced application. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

Copies of the listed non-patent literature documents are attached.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine

that the cited documents do not constitute "prior art" under United States law,  
Applicants reserve the right to present to the office the relevant facts and law regarding  
the appropriate status of such documents.

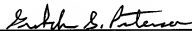
Applicants further reserve the right to take appropriate action to establish the  
patentability of the disclosed invention over the listed documents, should one or more of  
the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please  
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 9, 2005

By:   
Gretchen S. Peterson  
Reg. No. 57,404



# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

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|-------|---|----|---|--------------------|------------|
| Sheet | 1 | of | 2 | Application Number | 10/776,188 |
|-------|---|----|---|--------------------|------------|

|                        |                      |
|------------------------|----------------------|
| Filing Date            | February 12, 2004    |
| First Named Inventor   | Jenkins, Peter James |
| Art Unit               | 1623                 |
| Examiner Name          | E. Peseelev          |
| Attorney Docket Number | 08505.0020-00000     |

## U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

| Examiner Initials | Cite No. <sup>1</sup> | Document Number                          | Issue or Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-------------------|-----------------------|--|---|---|---|
|                   |                       | Number-Kind Code <sup>2</sup> (if known) |   |   |   |
|                   |                       | US-                                      |   |   |   |
|                   |                       | US-                                      |   |   |   |
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|                   |                       | US-                                      |   |   |   |
|                   |                       | US-                                      |   |   |   |

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

## FOREIGN PATENT DOCUMENTS

| Examiner Initials | Cite No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | Translation <sup>3</sup> |
|-------------------|-----------------------|---|--------------------------------|---|---|--------------------------|
|                   |                       | Country Code <sup>2</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known) |                                |   |   |                          |
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|                   |                       |   |                                |   |   |                          |
|                   |                       |   |                                |   |   |                          |

## NON PATENT LITERATURE DOCUMENTS

| Examiner Initials | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Translation <sup>3</sup> |
|-------------------|-----------------------|---|--------------------------|
| /E.P./            |                       | Children's Medical Center at the University of Virginia, <i>Pediatric Pharmacotherapy</i> , 2:1-4 (1996).   |                          |
| /E.P./            |                       | Express Scripts, Inc., <a href="http://www.drugdigest.org/DD/PrintablePages/Comparisons/1,20036,8-21,00.html">http://www.drugdigest.org/DD/PrintablePages/Comparisons/1,20036,8-21,00.html</a> , printed on 03/08/2005.   |                          |
| /E.P./            |                       | "Definition, Diagnosis and Classification of Diabetes Mellitus and its Complications," World Health Org., Dept. of Noncommunicable Disease Surveillance, Geneva 21-22 (1999).   |                          |
| /E.P./            |                       | Cardinal, et al., "Increased Susceptibility to Streptozotocin-Induced $\beta$ -Cell Apoptosis and Delayed Autoimmune Diabetes in Alkylpurine-DNA-N-Glycosylase-Deficient Mice," <i>Molecular and Cellular Biology</i> , 21:5605-5613 (2001).                    |                          |
| /E.P./            |                       | Ramasamy, et al., "Protein Kinase C and the Sub-Sensitivity and Sub-Reactivity of the Diabetic Rat Prostate Gland to Noradrenaline," <i>European Journal of Pharmacology</i> , 434:151-161 (2002).  |                          |
| /E.P./            |                       | Lapocata, M., <i>SI Unit Conversion Guide</i> , Boston: JEI Books, 81-83.   |                          |
| /E.P./            |                       | Murray, et al., "Effect of Meals and Posture on Concentration of Substances in Blood," <i>Harper's Biochemistry</i> , 21 <sup>st</sup> Ed., p. 830-832.   |                          |

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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| Sheet | 2 | of | 2 |
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## Complete If Known

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| Examiner Name          | E. Peselev           |
| Attorney Docket Number | 08505.0020-00000     |

## NON PATENT LITERATURE DOCUMENTS

|        |  |  |
|--------|--|--|
| /E.P./ | Dorland's Illustrated Medical Dictionary, 25 <sup>th</sup> Ed., Philadelphia: W. B. Saunders, 1673.  |  |
| /E.P./ | Sweetman, S.C. (Ed.), "Antidiabetics," Martindale, The Complete Drug Reference, 33 <sup>rd</sup> Ed., London: Pharmaceutical Press, 615-616.   |  |
| /E.P./ | "Glucophage", Glucolet Endcaps 1561 (1996).  |  |
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| /E.P./ | Heilbron, I.M. (Ed.), Dictionary of Organic Compounds 6 <sup>th</sup> ed, London: Chapman & Hall, 2741-2747 (1996).  |  |
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| /E.P./ | Loudon, M. Organic Chemistry, 3 <sup>rd</sup> Ed. Redwood City, CA: Benjamin/Cummings Publishing Co., Inc., 131, 739 (1995).   |  |
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|                    |                |                 |            |
|--------------------|----------------|-----------------|------------|
| Examiner Signature | /Elli Peselev/ | Date Considered | 04/09/2008 |
|--------------------|----------------|-----------------|------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.